



## **Complaints procedure Kijkwijzer**

### **Filing a complaint**

If you believe that a broadcaster or distributor is in breach of the Kijkwijzer Regulations, you may file a complaint. Examples of breaches include:

- a film that has not been rated;
- a film- or DVD distributor that shows a rating that is not high enough;
- a broadcaster that broadcasts a film or television programme at the wrong time.

### **Handling of complaints by the Kijkwijzer office**

Complaints are first handled by Kijkwijzer employees. If they agree that a rating or broadcast time is wrong, or if there is another breach, they will contact the broadcaster or distributor. They will request that the rating is changed within three working days, or that the production is henceforth broadcast at a different time. You will be informed about this. This is the so-called mediation procedure, to which there are a few exceptions as stated below.

### **Submission to Complaints Committee**

A complaint is directly submitted to the independent Complaints Committee in the following cases:

- In the event that a rating or broadcast time is not changed within the timeframe that was stipulated during the mediation procedure;
- If you do not agree with the findings of the Kijkwijzer office and/or with the changed rating/broadcast time that has resulted from the mediation procedure;
- If a production was not rated at all and if the Kijkwijzer office finds it should be rated higher than 'All Ages';
- If the Kijkwijzer office concludes that there is a difference of two or more age categories between the rating of the broadcaster or distributor and the Kijkwijzer office (for example, if a production was rated as 'All Ages' but is believed by the Kijkwijzer office to qualify for a '16 years' rating);
- The same broadcaster/distributor after the Complaints Committee has granted the complaint earlier in the calendar year about the classification or the implementation of the classification (e.g. the broadcast time) again commits an offence in the same category.

### **The Complaints Committee**

The Complaints Committee is an independent committee. It consists of a chairperson and members with a legal or scientific background. The Complaints Committee judges whether a broadcaster or distributor has applied the Kijkwijzer Regulations correctly. The Complaints Committee can rule that a complaint is founded, unfounded or inadmissible. If the Complaints Committee finds a complaint to be founded, it can impose penalties: a (re)rating, warning or financial penalty.

If a complaint is submitted to the Complaints Committee, the broadcaster or distributor will be asked to file a statement of defence. You may respond to this statement. The complaint is then handled during a hearing in Hilversum or online via Teams. Both parties will be able to make a verbal statement regarding



their position. Within four weeks after the hearing, you will receive the judgment from the Complaints Committee in writing.

**Appeals Committee**

If you do not agree with the Complaints Committee's ruling, you may appeal the judgment with the Appeals Committee within four weeks after the date of the judgment from the Complaints Committee. The Appeals Committee may then confirm, overturn or refer back to the Complaints Committee's ruling.